

Appl. No. : 10/067,569
Filed : February 5, 2002

AMENDMENTS TO THE CLAIMS

Please amend Claims 1, 17 and 48, cancel Claim 49, and add new Claims 65-67 as follows:

1. (Currently amended) A nutraceutical composition comprising a detoxified extract from an agricultural by-product and an edible carrier, wherein said by-product is obtained as a result of processing a tropical crop and wherein said detoxified extract has a lower level of at least one of an ochratoxin and an aflatoxin, relative to at least one of said agricultural by-product and said extract prior to being detoxified.
2. (Original) The nutraceutical composition of Claim 1 wherein said tropical crop is selected from the group consisting of coffee, macadamia, pineapple, taro, papaya, and mango.
3. (Original) The nutraceutical composition of Claim 1 wherein said extract is comprised of a substance selected from the group consisting of carbohydrate, sugar, fat, protein, amino acid, vitamin, anti-oxidant, polyphenol, caffeic acid, ferulic acid, and chlorogenic acid.
4. (Original) The nutraceutical composition of Claim 1 wherein said extract is comprised of an anti-oxidant.
5. (Original) The nutraceutical composition of Claim 1 wherein said by-product is coffee cherry.
6. (Original) The nutraceutical composition of Claim 1 which is comprised of a decaffeinated extract of coffee cherry.
7. (Original) The nutraceutical composition of Claim 1 which contains water in an amount of about 15% or less, by weight based on total weight.
8. (Original) The nutraceutical composition of Claim 1 wherein said edible carrier is a pharmaceutically acceptable carrier.
9. (Original) The nutraceutical composition of Claim 1, wherein said nutraceutical composition is fit for human consumption.
10. (Original) The nutraceutical composition of Claim 9, wherein said nutraceutical composition is prepared by a process in which a detoxification method is applied.

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11. (Original) A nutraceutical composition fit for human consumption comprising a decaffeinated extract of coffee cherry and a flavoring agent.

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Currently amended) A process for making a nutraceutical composition which comprises

obtaining a by-product from a tropical crop,

intermixing said by-product with a first solvent to produce an admixture comprised of a liquid portion and a solid portion,

separating at least a part of said liquid portion from said solid portion to produce a liquid extract,

drying said liquid extract to produce a dry extract,

detoxifying said liquid extract, said dry extract, or both, and

intermixing said dry extract with an edible carrier to produce a nutraceutical composition;

wherein said dry extract has a lower level of at least one of an ochratoxin and an aflatoxin, relative to at least one of said agricultural by-product, said liquid extract and said dry extract.

18. (Previously presented) The process of Claim 17 in which the detoxifying of said liquid extract, said dry extract, or both comprises a detoxification step selected from the group consisting of liquid/liquid extraction of the liquid extract with an organic solvent, washing the by-product with water, washing the by-product with a buffered aqueous solution, drying the by-product, heating the by-product with steam, heating the by-product with forced hot air, intermixing the admixture with a solid adsorbent, and intermixing the liquid extract with a solid adsorbent.

19. (Original) The process of Claim 17 in which said tropical crop is selected from the group consisting of coffee, macadamia, pineapple, taro, papaya, and mango.

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20. (Original) The process of Claim 17 in which said first solvent is comprised of a liquid selected from the group consisting of water, an aqueous salt solution, ethanol, isopropanol, n-butanol, glycerol, carbon dioxide, acetone, methyl ethyl ketone, ethyl acetate, propyl acetate, butyl acetate, and mixtures thereof.

21. (Original) The process of Claim 17 which further comprises intermixing said solid portion with a second solvent.

22. (Original) The process of Claim 17 wherein said dry extract is comprised of a substance selected from the group consisting of carbohydrate, sugar, fat, protein, amino acid, vitamin, anti-oxidant, polyphenol, caffeic acid, ferulic acid, and chlorogenic acid.

23. (Original) The process of Claim 17 wherein said dry extract is comprised of an anti-oxidant.

24. (Original) The process of Claim 17 in which said by-product is coffee cherry.

25. (Original) The process of Claim 17 which further comprises decaffeinating said by-product, said liquid extract or said dry extract.

26. (Original) The process of Claim 17 which further comprises treating said liquid extract with an ion-exchange resin.

27. (Original) The process of Claim 17 which further comprises at least partially drying said by-product prior to said intermixing.

28. (Original) The process of Claim 17 wherein said separating is conducted by a method selected from the group consisting of decantation, pressing, filtration, settling, and centrifugation.

29. (Original) The process of Claim 17 wherein said nutraceutical composition contains water in an amount of about 15% or less, by weight based on total weight.

30. (Canceled)

31. (Canceled)

32. (Canceled)

33. (Canceled)

34. (Canceled)

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36. (Canceled)

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37. (Canceled)

38. (Canceled)

39. (Canceled)

40. (Canceled)

41. (Canceled)

42. (Canceled)

43. (Canceled)

44. (Canceled)

45. (Canceled)

46. (Canceled)

47. (Canceled)

48. (Currently amended) A method of improving or maintaining well-being comprising administering to a subject an effective amount of a nutraceutical composition comprising a detoxified extract from an agricultural by-product obtained as a result of processing a tropical crop, wherein said detoxified extract has a lower level of at least one of an ochratoxin and an aflatoxin, relative to at least one of said agricultural by-product and said extract prior to being detoxified.

49. (Canceled).

50. (Original) The method of Claim 48 wherein said administering is by oral ingestion.

51. (Original) The method of Claim 48 wherein said extract is comprised of a substance selected from the group consisting of carbohydrate, sugar, fat, protein, amino acid, vitamin, anti-oxidant, polyphenol, caffeic acid, ferulic acid, and chlorogenic acid.

52. (Original) The method of Claim 48 wherein said extract is comprised of an anti-oxidant.

53. (Canceled)

54. (Canceled)

55. (Canceled)

56. (Canceled)

57. (Canceled)

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- 58. (Canceled)
- 59. (Canceled)
- 60. (Canceled)
- 61. (Canceled)
- 62. (Canceled)
- 63. (Canceled)
- 64. (Canceled)
- 65. (New) The nutraceutical composition of Claim 1 wherein said ochratoxin is ochratoxin A.
- 66. (New) The process of Claim 17 wherein said ochratoxin is ochratoxin A.
- 67. (New) The method of Claim 48 wherein said ochratoxin is ochratoxin A.